

## NL PRISONS CLASS ACTION

### THE ACTION

The Supreme Court of Newfoundland and Labrador decided that a class action on behalf of people who were alive as of August 14, 2019 and who were inmates in Provincial Institutions from **August 14, 1990 to October 21, 2021** who were subjected to Prolonged Segregation (15 or more consecutive days) **or** who were subjected to Segregation for any length of time and were diagnosed with a Serious Mental Illness (with some exclusions) (**the “Class”**) can proceed.

Provincial Institutions include any of the following correctional facilities:

- Her Majesty’s Penitentiary,
- Newfoundland and Labrador Correctional Centre for Women,
- Labrador Correctional Centre,
- Bishop’s Falls Correctional Centre,
- West Coast Correctional Centre.
- St. John’s Lockup; and
- Corner Brook Lockup.

The lawsuit seeks compensation for class members. Segregation is defined as any placement in a Provincial Institution in which an inmate is confined in isolation from the general population of the prison. This can include time spent in disciplinary or administrative segregation, the special handling unit, a dry cell, or time spent locked in one’s own cell.

Morris Martin Moore Lawyers have been appointed as Class Counsel to the Class.

### FEES AND DISBURSEMENTS

Plaintiffs’ counsel has entered into agreements with the Representative Plaintiffs with respect to legal fees and disbursements for the trial of the common issues. This agreement provides that Plaintiffs’ counsel will not receive payment for their work unless and until the class action is successful or costs are recovered from the Defendant. This agreement must be approved by the Court.

### RESIDENTS OF NEWFOUNDLAND AND LABRADOR

Any person in Newfoundland and Labrador who wishes to opt out of the class action as certified must do so by sending a written notice on or before **Wednesday, January 19, 2022, 5:00pm (EST)**, to Newfoundland and Labrador Prisons Class Action, 117 Queen St, P.O. Box 1000, Niagara-on-the-Lake, ON, L0S 1J0. Residents in Newfoundland and Labrador who meet the class definition and do not opt out will be bound by the Court’s judgment whether favourable or not. By opting out, your name will not be made public.

### NON-RESIDENTS OF NEWFOUNDLAND AND LABRADOR

Any person not residing in Newfoundland and Labrador who wishes to opt in to the class action as certified must do so by sending a written notice on or before **Wednesday, January 19, 2022, 5:00pm (EST)**, to Newfoundland and Labrador Prisons Class Action, 117 Queen St, P.O. Box 1000, Niagara-on-the-Lake, Ontario, L0S 1J0. Non-residents of Newfoundland and Labrador who opt in will be bound by the Court’s judgment whether favourable or not by opting in, your name will not be made public.

### CONTACT INFORMATION

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#### **Newfoundland and Labrador Prisons Class Action Class Administrators**

117 Queen St., P.O. Box 1000  
Niagara-on-the-Lake, ON L0S 1J0  
Tel (toll-free): 1-877-400-1211  
Fax: 416-342-1761  
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